

March 25, 1975

SPEAKER: Is there any discussion? If not, the question is, shall LB 437 be advanced to E & R for Initial. Have you all voted? The Clerk will record.

CLERK: 34 ayes, 0 nays to advance.

SPEAKER: The bill is advanced. LB 480.

CLERK: LB 480 introduced by the Judiciary Committee and signed by the members thereof. Read title. There are no Committee amendments or other amendments pending.

SPEAKER: There are no Committee amendments.

CLERK: None.

SPEAKER: Senator Luedtke, what do you care to do with the bill?

SENATOR LUEDTKE: Mr. President, I move that LB 480 be advanced to E & R Initial. Mr. President and members of the Legislature, LB 480 is a bill introduced by the Judiciary Committee as a result of our continuing study to try to update and clarify statutes dealing with any kind of civil procedures. This one, particularly, involves procedures wherein lawsuits have been commenced on behalf of minors, on the part of either their next of kin or guardians, and we found that in Section 25-307 there was no direct reference as to how a suit could be dismissed and release obtained by a guardian inasmuch as the statute, itself, did not refer to that. It stated how the suit could be commenced by the next of kin, by the parents or by someone else including the guardian, but it never showed how it could be dismissed and the person released, the infant released. So, therefore, the fact that that would be binding upon the infant and this was the change, this was the amendment in 25-307.

SPEAKER: Is there any discussion? The question is, shall LB 480 be advanced to E & R Initial? Have you all voted? The Clerk will record.

CLERK: 29 ayes, 0 nays, Mr. President.

SPEAKER: LB 436.

CLERK: Introduced by the Committee on Agriculture and Environment. Read title. Signed by the members thereof. Signed Senator Schmit. There are Committee amendments by Senator Schmit's Agriculture Committee.

SENATOR SCHMIT: Mr. President and members of the Legislature, I move the adoption of the Committee amendments. The amendments, first of all, the amendments, basically, are the bill and with the permission of the President, I would like to explain the amendments and the bill at the same time. The bill was introduced by the Committee on Agriculture and Environment as a result of the problem which developed when American Beef Packers entered into financial difficulty and a number of livestock sellers were found to be holding checks that had been out for some time as a result of the practice, which is not uncommon in the industry, of banking on a banking institution located at some distance from the, the institution